

REMARKS

The Present Invention and Pending Claims

Claims 4-42 are currently pending and are directed to a heat-resistant composition and various products employing the heat-resistant composition. The only pending independent claims are claims 4-6. All other pending claims are dependent on claims 4-6.

Amendments to the Claims

The claims have been amended to point out more particularly and claim more distinctly the present invention. Claims 1-3 have been canceled. Claims 4-6 have been amended to place the claims in independent form, as suggested by the Office. Claims 18, 19, 31 are new, are dependent on claims 4, 5, and 6, respectively, and incorporate the features of former claim 2. Claims 7-17 have been amended to make the claims dependent on claim 4. Claims 20-30 and 32-42 are new and parallel claims 7-17 with dependencies on claims 5 and 6, respectively. Accordingly, no new matter has been added by way of these amendments.

Summary of the Office Action

The Office has rejected claims 1-3 under 35 U.S.C. § 102(e) as allegedly anticipated by Yabuhara et al. (U.S. Patent No. 6,518,336). Claims 7-17 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of Yabuhara et al. The Office has objected to claims 4-6 as depending from a rejected base claim. Reconsideration of these rejections is hereby requested.

Discussion of the Claim Objections

Claims 4-6 have been objected to as depending upon a rejected base claim. The Office states that claims 4-6 would be allowable if rewritten in independent form. As suggested by the Office, Applicants have amended claims 4-6 to place the claims in independent form. Accordingly, the objection to claims 4-6 should be withdrawn.

Discussion of the Rejection under Section 102(e)

The Office has rejected claims 1-3 as allegedly anticipated by Yabuhara et al. Claims 1-3 have been canceled. Accordingly, the anticipation rejection is moot, and the rejection should be withdrawn.

In re Appln. of Shimizu et al.
Application No. 10/071/624

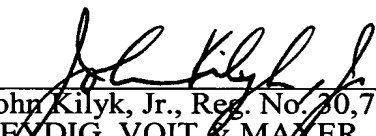
Discussion of the Rejection under Section 103(a)

The Office has rejected claims 7-17 as allegedly obvious in view of Yubuhara et al. Claims 7-17 have been amended to depend from claim 4. Additionally claims 21-42 have been added, which depend from claim 5 or 6. As discussed above, the Office states that claims 4-6 are allowable when written in independent form. Thus, claims 4-6 define novel and unobvious subject matter. Accordingly, the claims depending from claims 4-6 also define novel and unobvious subject matter. The rejection of claims 7-17 is moot and should be withdrawn.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



John Kilyk, Jr., Reg. No. 30,763
LENDIG, VOIT & MAXER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

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